

WEDNESDAY, FEBRUARY 8, 1995

SIXTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with a prayer by Rev. Bernie Barton, Overton County Church of Christ, Overton County, Tennessee.

Representative Windle led the House in the Pledge of Allegiance.

ROLL CALL

The roll call was taken with the following results:

Present. 98

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Kent; illness

MESSAGE FROM THE SENATE
February 7, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 12, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, and 43; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.

Chief Clerk.

MESSAGE FROM THE SENATE
February 8, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No(s). 1, 5, 6, 38, and 43; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.

Chief Clerk.

Senate Bill No. 1 -- Statutes - Codifies Public Acts of 1994. by *Wilder.

***Senate Bill No. 5** -- Alcoholic Beverages - Permits sale of imported malt beverages in kegs with capacity between 13 and 14 gallons. Amends TCA 57-6-104(I).

***Senate Bill No. 6** -- Wine, Wineries - Lowers required seating capacity of restaurants authorized to sell wine only from 50 to 40. - Amends TCA 57-4-101, 102. by *Cohen, Henry.

Senate Bill No. 38 -- Utilities, Utility Districts - Authorizes commissioners of South Blount County utility board by resolution to increase per diem for not more than 12 meetings to rate not exceeding \$250 per meeting for district having more than 3,000 users and \$100 per meeting for district having 3,000 or fewer users. Amends TCA Title 7, Chapter 82. by *Koella.

***Senate Bill No. 43** -- Housing - Permits compensation for housing authority commissioners if authorized by local ordinance - Amends TCA Title 13, Chapter 20. by *Cooper.

MESSAGE FROM THE SENATE
February 8, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 25 26, 27, 30 and 31; adopted for concurrence.

CLYDE W. McCULLOUGH, JR. Chief Clerk.

Senate Joint Resolution No. 25 -- Memorials, Death - Lemuel W. Diggs. by *Cohen.

Senate Joint Resolution No. 26 -- Memorials, Public Service -- Robert D. Tuke, Adoption Study Commission. by *Henry.

Senate Joint Resolution No. 27 - Memorials, Public Service - William B. Russell, Jr., Adoption Study Commission. by *Henry.

Senate Joint Resolution No. 30 -- Memorials, Sports - 1994 Riverdale High School football team. by *Womack.

Senate Joint Resolution No. 31 - Memorials, Public Service - Dr. Tom White. by *Cohen.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

*** House Joint Resolution No. 61** -- General Assembly, Studies -- Continues Business Tax Study Committee. by *Kisber, *Turner (Hamilton), *Jones R (Shelby), *West Jr., *Bragg, *Purcell.

Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for Thursday, February 9, 1995:

House Resolution No. 9 -- Memorials, Professional Achievement - Richard B. Carothers, Jr. by Ridgeway.

House Joint Resolution No. 58 -- Memorials, Sports -- 1994 Westmoreland High School football team. by *McDonald.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 9, 1995:

Senate Joint Resolution No. 25 -- Memorials, Death - Lemuel W. Diggs. by *Cohen.

Senate Joint Resolution No. 26 -- Memorials, Public Service -- Robert D. Tuke, Adoption Study Commission. by *Henry.

Senate Joint Resolution No. 27 -- Memorials, Public Service - William B. Russell, Jr., Adoption Study Commission. by *Henry.

Senate Joint Resolution No. 30 -- Memorials, Sports - 1994 Riverdale High School football team. by *Womack.

Senate Joint Resolution No. 31 -- Memorials, Public Service - Dr. Tom White. by *Cohen.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 765 -- Aged Persons -- Enacts "Tennessee Senior Citizens Pet Ownership Act" Amends TCA Title 13. by *Stamps.

House Bill No. 766 -- Regional Authorities -- Creates Tennessee Passenger Railroad Commission. Amends TCA Title 4. by *West.

House Bill No. 767 -- Railroads -- Requires that all contracts over \$2,500 by railroad authorities must be advertised for bids. Amends TCA Title 7, Chapter 56, Part 2, and Title 64, Chapter 2. by *West.

House Bill No. 768 -- Driver Licenses -- Revises standard for suspension of driver license for accident involving personal injury or death. Amends TCA 55-50-502. by *West.

House Bill No. 769 -- Tort Liability -- Eliminates tort liability of land owner or occupier for injuries accidentally inflicted upon person committing misdemeanor on such premises. Amends TCA 29-34-201. by *West.

House Bill No. 770 -- Bad Checks -- Requires defendants to post cash bonds when charged with writing bad checks; if defendant is found guilty, cash bond is forfeited and proceeds are applied as restitution. Amends TCA Section 47-29-101. by *West.

House Bill No. 771 -- Railroads -- Revises membership of railway authorities in which Davidson County is member to require that each county shall have three members. Amends TCA Section 7-56-203. by *West.

House Bill No. 772 -- Pensions and Retirement Benefits -- Revises from 60 to 90 days time when teacher must notify political subdivision that such teacher intends to establish prior service in such political subdivision as credit in TCRS. Amends TCA Section 8-35-241. by *West.

House Bill No. 773 -- Sexual Offenses -- Requires persons convicted of sexual offenses, including sexual offenses involving minors, to be chaperoned whenever such persons are exercising visitation rights with their minor children. Amends TCA Title 36, Chapter 6. by *West.

House Bill No. 774 -- Handicapped Persons -- Revises eligible degree of blindness measured by field of vision from 20 to 10 degrees to attend Tennessee School of the Blind. Amends TCA Title 49, Chapter 10, Part 8. by *West.

House Bill No. 775 -- Banks and Financial Institutions -- Authorizes banks holding funds of two or more local governments to invest such funds in local government investment pool. Amends TCA Title 9, Chapter 4, Part 7. by *West.

House Bill No. 776 -- Historical Commission -- Adds president of the Association of Preservation of Tennessee Antiquities to historical commission. Amends TCA 4-11-102. by *West.

House Bill No. 777 -- Railroads -- Creates Tennessee Railroad Passenger Commission to promote passenger rail service in Tennessee. Amends TCA Title 4, to create the Tennessee Passenger Railroad Commission. by *West.

House Bill No. 778 -- Medicine, Practice of -- Extends period by which temporary medical laboratory license is valid, from three to four months. Amends TCA Title 68. by *West.

House Bill No. 779 -- Railroads -- Enacts "Tennessee Central Railroad Museum Act of 1995." Amends TCA Title 4, Chapter 3. by *West.

House Bill No. 780 -- Railroads -- Enacts "Tennessee Railroad Museum Act of 1995." Amends TCA Title 4, Chapter 3. by *West.

House Bill No. 781 -- Metropolitan Government -- Revises membership of Nashville Metro Tourism and Convention Commission to add two members from community at large; reduces members represented by hotel/motel association and tourist-related industry to three members each. Amends TCA Section 7-4-109. by *West.

House Bill No. 782 -- Sexual Offenses -- Establishes mandatory minimum periods of incarceration and fines for persons committing offenses of prostitution and patronizing prostitution within one and one-half miles of school; makes state law prohibiting prostitution, patronizing prostitution and promoting prostitution preeminent over private acts or ordinances prohibiting same conduct. Amends TCA Title 39, Chapter 13, Part 5. by *West.

House Bill No. 783 -- Highways, Roads and Bridges -- Directs department of transportation to erect sound barrier fence at I-40 E and Old Hickory Boulevard. by *West.

House Bill No. 784 -- Highways, Roads and Bridges -- Directs department of transportation to acquire right of way on Old Hickory Boulevard from I-40 E to Bell Road, to add turning lane; subject to specific funding in 1995-1996 General Appropriations Act. by *West.

House Bill No. 785 -- Metropolitan Government -- Adds chief executive officer of metropolitan county to board of directors of public utilities serving such county. Amends TCA Section 7-1-108. by *West.

House Bill No. 786 -- Sentencing -- Authorizes general sessions courts to impose sentences of up to three years if defendant pleads guilty and district attorney agrees. Amends TCA Title 40, Chapter 1, Part 1 and Title 40, Chapter 4, Part 1. by *West.

House Bill No. 787 -- Election Laws -- Allows county election commissions to maintain absentee voting records electronically instead of in notebook binders. Amends TCA Section 2-6-301. by *West.

House Bill No. 788 -- Employees, Employers -- Reduces from 100 to 25 number of full time, permanent employees that employer must employ to be subject to Maternity Leave Act. Amends TCA 4-21-408. by *West.

***House Bill No. 789** -- Courts, Juvenile -- Authorizes county legislative body to create 3 additional juvenile judge positions in Davidson and Moore Counties, plus one full time juvenile court administrator; authorizes qualified voters to elect juvenile judges for district to have same qualifications, powers, duties and compensation as other judges. TCA Title 37, Chapter 1, Part 2. by *West.

House Bill No. 790 -- Railroads -- Prohibits state funds from being expended for rehabilitation of railroad tracks unless improved track meets Federal Railroad Administration Class 1 standards. Amends TCA Title 65, Chapter 6, Part 1. by *West.

House Bill No. 791 -- Managed Care Organizations -- Allows any willing health care provider to provide services to any subscriber enrolled in MCO or TennCare or other managed care health insurance plan. Amends TCA Title 56 and Title 71. by *Arriola.

House Bill No. 792 -- TennCare -- Designates Medicaid drug utilization review board to be TennCare drug utilization review board; places certain restrictions on board members; establishes powers and duties of board. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Arriola.

House Bill No. 793 -- Health -- Expands duties of health care service utilization review agents. Amends TCA Title 56, Chapter 6, Part 7. by *Arriola.

***House Bill No. 794** -- Utilities, Utility Districts -- Defines all state highways and roads as public highways for purposes of utility relocating; deletes requirement that utility repay state for any relocation costs not paid by federal government. Amends TCA Title 54. by *Head.

House Bill No. 795 -- DUI/DWI Offenses -- Establishes procedure for immediate revocation of driver license. by *Robinson, *Burchett, *Ritchie, *Walley, *Wood, *Tindell, *Fowlkes, *Coffey, *Boyer, *Williams (Union).

House Bill No. 796 -- DUI/DWI Offenses -- Provides that person with two or more prior DUI convictions is presumed to be driving under the influence if such person's blood BAC is .06 percent or more. Amends TCA Title 39, Chapter 13, Part 2; Title 40, Chapter 33, Part 2; Title 55, Chapter 10, Parts 4, 7; Title 55, Chapter 50; Title 57, Chapter 10, Part 1; 57-3-412; 57-4-203; 57-5-301. by *Robinson.

***House Bill No. 797** -- Traffic Safety -- Requires freight motor vehicles registered in Classes 10, 11, and 12 to operate in rightmost lanes on interstate or divided multi-lane highways. Amends TCA Title 55, Chapter 8. by *Robinson.

House Bill No. 798 -- Regional Authorities -- Requires annual, rather than quarterly, board meetings; allows creation of executive committee; allows contracting for operational services including professional planning, engineering, management, operations and support services. Amends TCA Title 64, Chapter 8, Part 1. by *Robinson.

House Bill No. 799 -- Education -- Requires amount of funds provided for instructional supplies and duty free lunches to be adjusted each year for inflation. Amends TCA Title 49, Chapter 3. by *Ramsey.

House Bill No. 800 -- Criminal Procedure -- Deletes present procedure for restoring citizenship rights of person convicted of infamous crime, thereby reviving former procedure of petitioning circuit court where petitioner resides. Amends TCA 40-29-105. by *Buck.

House Bill No. 801 -- District Attorneys -- Removes requirement that district attorney general sign law enforcement's requests for disbursement from drug forfeiture fund. Amends TCA 39-17-420. by *Buck.

House Bill No. 802 -- Bond Issues -- Authorizes \$7,100,000 bond issue for state to purchase Rattle and Snap mansion and property. by *Napier, *Bragg.

House Bill No. 803 -- Education, Higher -- Allows certain out-of-state students to attend Tennessee institutions of higher education without payment of tuition. Amends TCA Title 49, Chapters 8 and 9. by *Whitson.

***House Bill No. 804** -- Health -- Establishes Area Health Education Center (AHEC) Program of Tennessee. Amends TCA Title 68. by *Whitson.

House Bill No. 805 -- Pensions and Retirement Benefits -- Makes teachers eligible for full retirement after 300 months of creditable service. Amends TCA Section 8-36-201. by *Whitson.

House Bill No. 806 -- Psychologists -- Designates person currently enrolled in internship program as health service provider if degree requirements completed by September 1, 1993, instead of December 31, 1992 as required in present law, if the application is submitted by July 1, 1995, instead of July 1, 1993 as required in present law. Amends TCA 63-11-221. by *Whitson.

***House Bill No. 807** -- Law Enforcement -- Restricts certain personnel records of undercover law enforcement officers from being made available to public. Amends TCA Title 10, Chapter 7, Part 5. by *Wood.

***House Bill No. 808** -- Arrests -- Makes evading arrest in motor vehicle Class E felony if offense from which person fleeing is felony offense. Amends TCA Title 39, Chapter 16, Part 6. by *Langster, *Brown, *DeBerry L, *West, *Pruitt.

House Bill No. 809 -- Insurance, Health, Accident -- Increases maximum number of eligible employees from 25 to 50 for employer to be defined as "small employer" under Small Employer Group Health Coverage Reform Act. Amends TCA 56-7-2203. by *Gunnels.

House Bill No. 810 -- Hospitals and Health Care Facilities -- Expands class of persons who are entitled to receive copies of medical records from health care providers or hospitals to include parent of patient who is deceased. Amends TCA 632-101, 68-11-304. by *Gunnels.

House Bill No. 811 -- Pensions and Retirement Benefits -- Allows teacher, upon retirement, to transfer accumulated sick leave to spouse as creditable service. Amends TCA Section 8-34-604. by *Gunnels.

House Bill No. 812 -- Driver Licenses -- Increases penalty for driving on suspended or revoked driver's license to: First offense, surrender of vehicle for 30 days; second offense, forfeiture of vehicle. Amends TCA Title 40, Chapter 33; Title 55, Chapter 50. by *Gunnels.

House Bill No. 813 -- County Officers -- Extends period for county chief administrative officer to file inventory of machinery, equipment and other items with county and state authorities, from 60 to 75 days upon date such person takes office. Amends TCA Title 54. by *Curtiss.

House Bill No. 814 -- Charitable Institutions -- Redefines definition of "nonprofit civic organization"; loosens restrictions on municipalities that wish to make contributions to nonprofit organizations. Amends TCA Section 6-54-111. by *Williams (Williamson).

House Bill No. 815 -- Criminal Procedure -- Removes defense to prosecution as accessory after the fact for persons who merely harbor or conceal relative Amends TCA Title 39, Chapter 11. by *Davis.

House Bill No. 816 -- Pensions and Retirement Benefits -- Decreases eligibility period required for retirement by teachers from 30 years to 300 months Amends TCA Section 8-36-201. by *Davis.

House Bill No. 817 -- Highway Signs -- "Judge Wayland Harrison Road," SR 350, Greene County. by *Davis.

House Bill No. 818 -- County Officers -- Revises procedure for county officials to hire new deputies and assistants. Amends TCA Title 8, Chapter 20. by *Davis, *Roach, *Williams (Union).

House Bill No. 819 -- Education -- Allows commissioner of education to grant one year extension for principals and administrators for required attendance at principal-administrator academy. Amends TCA 49-5-5703. by *Davis, *Huskey, *Roach.

House Bill No. 820 -- Motor Vehicles, Titling and Registration -- Clarifies that special registration provisions for "antique motor vehicles" do not apply to such vehicles used for general transportation purposes. Amends TCA Section 55-4-111(b)(4)(B). by *Davis, *Roach.

House Bill No. 821 -- Education -- Requires special education eligibility and services. Amends TCA Title 49, Chapter 10. by *Davis.

House Bill No. 822 -- Education -- Authorizes person to sue school district if school district fails to adequately provide appropriate educational facility or program for student; limits recovery to provision of or transfer to appropriate facilities or programs, and reasonable attorney fees; prohibits attorney contingency fee arrangements. Amends TCA Title 20, Chapter 1, Part 1; Title 49, Chapter 2, Part 1. by *Davis.

House Bill No. 823 -- Energy -- Extends period for department of environment and conservation to issue or deny application for drill permit, from ten to 20 days of department's receipt of such application. Amends TCA Title 60. by *Odom.

House Bill No. 824 -- Partnerships -- Increases from 3 months to 4 months the time a claimant can institute a proceeding to enforce a claim against a dissolved limited partnership upon the partnership's delivery of notice of dissolution to such claimant. Amends TCA Title 61. by *Odom.

House Bill No. 825 -- Mining and Quarrying -- Extends reclamation time for areas used to mine coal, from 90 days to 100 days following completion of such mining. Amends TCA Title 59. by *Odom.

House Bill No. 826 -- Cemeteries -- Lengthens period cemetery operators are required to be notified of termination of temporary operating permit, from ten to 20 days. Amends TCA Title 46. by *Odom.

House Bill No. 827 -- Personal Property -- Extends from 180 to 200 days period that retail launderer or dry cleaner must retain unclaimed articles before disposing of such in whatever manner retail establishment desires, without notifying customer. Amends TCA Title 66. by *Odom.

House Bill No. 828 -- Medical Occupations -- Increases maximum fine from \$250 to \$300 nursing home administrator may be assessed for fraudulently obtaining license. Amends TCA Title 4 and Title 63. by *Odom.

House Bill No. 829 -- Physicians and Surgeons -- Clarifies that physicians who pay for goods and services on percentage basis are not unlawfully dividing fees. Amends TCA Section 63-6-225. by *Walley.

House Bill No. 830 -- Mental Retardation -- Requires superintendent of developmental centers to admit mentally retarded child on petition of parent or guardian if placement is appropriate. There is rebuttable presumption that parent has selected appropriate placement. Amends TCA Title 33. by *Haley, *Naifeh, *Shirley.

House Bill No. 831 -- County Officers -- Permits Shelby County to adopt checking system for disbursing of county funds by county trustee. Amends TCA 5-8-210(1). by *Haley.

***House Bill No. 832** -- Hospitals and Health Care Facilities -- Prohibits home health agencies from knowingly soliciting customers of other home health agencies. Amends TCA Title 68, Chapter 11. by *Haley, *DeBerry L, *Jones U (Shelby), *Miller.

House Bill No. 833 -- School Districts, Special -- Permits special school district to be established in Shelby County as long as one city is in district. Amends TCA Title 49, Chapter 2, Part 5. by *Haley, *Shirley, *Byrd.

House Bill No. 834 -- Municipal Government -- Clarifies definition of "municipality" to include incorporated cities and towns and metropolitan governments; prohibits municipality undertaking residential development program for single family housing unless such project involves industrial development corporation. Amends TCA Title 6. by *Haley, *Shirley, *Bowers, *Brooks, *Byrd.

House Bill No. 835 -- Environmental Preservation -- Establishes waiver for vehicles which fail emissions testing on second attempt after unsuccessful repairs costing at least \$250. Amends TCA Title 55, Chapter 4, Part 1 and Title 68, Chapter 201, Part 1. by *Beavers, *Bell.

House Bill No. 836 -- Environment and Conservation, Department of -- Adds one additional member to air pollution control board, to be appointed from residents of Wilson County. Amends TCA Section 68-201-104. by *Beavers, *Bell.

House Bill No. 837 -- Consumer Protection -- Allows public service commission's consumer advocate division to examine financial records of public utilities. Amends TCA Section 65-4-118. by *Kisber.

House Bill No. 838 -- Public Employees -- Establishes guidelines as to when public official or employee may or may not

accept or solicit gift. Amends TCA Title 8, Chapter 50, Part 1. by *Kisber.

House Bill No. 839 -- Unemployment Compensation -- Provides that services placing sitters are not employers of such sitters. Amends TCA Title 50, Chapter 7. by *Kisber, *Bragg, *Purcell, *Jones R (Shelby), *Turner (Shelby).

House Bill No. 840 -- General Assembly, Studies -- Creates business tax committee as permanent special joint committee of general assembly. Amends TCA Title 3, Chapter 15. by *Kisber, *Bragg, *Turner (Hamilton), *West, *Purcell, *Jones R (Shelby).

House Bill No. 841 -- Taxes -- Applies sales tax exemption for industrial machinery and reduced taxes for substances to machinery and substances involved in manufacturing and packaging at multiple locations. Amends TCA 67-6-102, 206. by *Kisber, *Bragg, *Purcell, *Jones R. (Shelby), *Turner (Hamilton).

House Bill No. 842 -- Taxes, Franchise -- Excludes certain inventory from calculation of franchise tax. Amends TCA Title 67, Chapter 4. by *Kisber.

House Bill No. 843 -- Hotels and Restaurants -- Requires department of health to make quarterly inspections of hotels which rent rooms for less than day's occupancy. Amends TCA Title 68, Chapter 14, Part 3. by *Turner (Shelby).

House Bill No. 844 -- Economic and Community Development -- Creates minority business development revolving loan fund Amends TCA Title 4. by *Turner (Shelby).

House Bill No. 845 -- Criminal Procedure -- Makes proceeds realized from items seized and sold due to violations of drug laws be paid into treasury of local government responsible for such seizure activities; permits use of proceeds for any public purpose allowed by law. Amends TCA 39-17-420; 40-33-211; 53-11-204. by *Jones R (Shelby).

House Bill No. 846 -- Accountants -- Authorizes board of accountancy to fix compensation of executive director, investigators, and other staff members without the approval of the commissioner of personnel; removes board from administration of division of regulatory boards. Amends TCA Title 4 and Title 62. by *Rinks.

House Bill No. 847 -- Utilities, Utility Districts -- Requires utility management review board to review and comment on petition to modify utility district service area. Amends TCA Title 7, Chapter 82. by *Bragg.

***House Bill No. 848** -- Tennessee Bureau of Investigation -- Increases from 30 to 45 days time in which nominating commission for Tennessee bureau of investigation director must resubmit list of nominees when governor has rejected previous list. Amends TCA Title 38, Chapter 6. by *Buck.

House Bill No. 849 -- Penal and Reformatory Institutions -- Requires correctional institutions to inform employees of inmates

known to have infectious diseases. Amends TCA Title 41, Chapter 51, Part 1. by *Windle.

House Bill No. 850 -- Pensions and Retirement Benefits -- Authorizes creditable service under TCRS for out-of-state service under certain circumstances. Amends TCA Title 8, Chapter 34, Part 6. by *Windle.

House Bill No. 851 -- Coon Dog Laws -- Authorizes coon hunts during closed season in Morgan County so long as no coons are taken. Amends TCA Section 70-4-122. by *Windle.

House Bill No. 852 -- Jails, Local Lock-ups -- Removes commissioner's authority to promulgate rules concerning reasonable allowable costs for reimbursing counties for housing convicted felons. Amends TCA Title 41, Chapter 8. by *Head.

House Bill No. 853 -- Hospitals and Health Care Facilities -- Grants supplemental powers of Title 7, Chapter 57 of the general law to metropolitan hospital authorities created by private act in Hamilton, Knox, Davidson and Shelby counties; sets powers and duties. Amends TCA Title 7, Chapter 57. by *Stulce.

House Bill No. 854 -- Hospitals and Health Care Facilities -- Grants supplemental powers of Title 7, Chapter 57 of the general law to metropolitan hospital authorities created by private act in Hamilton, Knox, Davidson and Shelby counties; sets powers and duties. Amends TCA Title 7, Chapter 57. by *Stulce.

House Bill No. 855 -- Hospitals and Health Care Facilities -- Prohibits state from seeking waiver of reimbursement standards for hospitals under federal law on Boren Amendment. Amends TCA Section 71-5-105. by *Jones R (Shelby).

House Bill No. 856 -- Psychologists -- Directs board of examiners in psychology to designate as health service provider persons who holds PhD in education; possesses 3,900 hours of clinical experience; is national board certified counselor; has been practicing in Tennessee for at least 6 years and was licensed by board on 7/15/92 with declared specialty area other than school, clinical or counseling psychology. Amends TCA Sections 63-11-222 and 223. by *Ritchie

House Bill No. 857 -- Driver Licenses -- Raises minimum age required for obtaining driver license learner permit. Amends TCA Title 55, Chapter 50. by *Ritchie.

House Bill No. 858 -- Foster Care -- Gives parent/legal guardian of child placed in foster care 12 months to prove capability of adequately caring for child; requires department of human services to initiate proceedings to terminate parental rights if fails to prove adequacy; child to be placed for adoption 90 days after termination of parental rights. Amends TCA Title 37. by *Chumney.

***House Bill No. 859** -- Children -- Authorizes, by power of attorney, parent or guardian to delegate to another person for six months or less any of powers regarding care, custody or property of minor except for power to consent to marriage or adoption. Amends TCA Title 37, Chapter 10. by *Chumney.

House Bill No. 860 -- Women -- Provides for placement of women's suffrage sculpture in Capitol or on grounds by Tennessee commemorative women's suffrage commission, subject to review by state capitol commission and approval by state building commission. Amends TCA Title 4, Chapter 46. by *Chumney.

House Bill No. 861 -- Women -- Authorizes Tennessee commemorative woman's suffrage commission to work with similar entities in other states Amends TCA Title 4, Chapter 46. by *Chumney.

House Bill No. 862 -- Marriage -- Includes non-vested pension, retirement or other fringe benefits for determining marital property in actions for divorce or separate support and maintenance. Amends TCA Title 36, Chapter 4. by *Chumney.

House Bill No. 863 -- Bond Issues -- Enacts "Tennessee Insurance Guaranty Association Bond Act of 1995." Amends TCA Title 4, Chapter 31; Title 56, Chapter 12. by *Chumney.

House Bill No. 864 -- Highways, Roads and Bridges -- Requires semi-trailer trucks weighing over 34,000 pounds to be driven on two right hand lanes of any highway having six or more lanes except where lanes are closed; there is intersection of multiple interstates; compliance would be unsafe; violation is Class C misdemeanor assessed against operator. Amends TCA Title 55, Chapter 8, Part 1. by *Davidson.

House Bill No. 865 -- Education, Higher -- Requires board of trustees and board of regents to establish programs permitting students to make periodic payments of tuition and maintenance fees. Amends TCA Title 49, Chapters 7, 8, 9. by *Davidson, *Head, *Stulce.

***House Bill No. 866** -- Education, State Board of -- Requires state board of education to submit recommendations to speakers and chairs of education committee chairs. Amends TCA Title 49, Chapters 1, 2, and 5. by *Davidson.

House Bill No. 867 -- Limitation of Actions -- Creates four year statute of limitations for actions for attorney malpractice; creates one year statute of repose for damages discovered in fourth year. Amends TCA Title 28, Chapter 3, Part 1. by *Buck.

House Bill No. 868 -- Tort Liability -- Enacts "Tennessee Oil Spill Cleanup and Environmental Preservation Act of 1995." by *Chumney, *Byrd.

House Bill No. 869 -- TennCare -- Prohibits MCO from requiring provider to participate in TennCare provider network as condition of participating in any other network. Amends TCA Titles 56 and 71. by *Williams (Williams).

House Bill No. 870 -- Corporations -- Removes requirement that foreign or domestic professional corporation be required to file certified copy of its charter before operating in Tennessee. Amends TCA Section 48-3-628. by *Whitson.

House Bill No. 871 -- Hospitals and Health Care Facilities -- Increases number of days from 30 to 45 in which notice must be made to

health facilities commission if change of ownership occurs within two years of date of initial licensure of health care institution. Amends TCA Title 68. by *Duer, *McDaniel.

House Bill No. 872 -- Medicine, Practice of -- Requires medical laboratory directors to submit quarterly reports to medical laboratory board. Amends TCA Title 68, Chapter 29. by *Duer, *McDaniel.

House Bill No. 873 -- Hospitals and Health Care Facilities -- Increases maximum number of hours person may stay in ambulatory surgical treatment center, including number of hours a person may stay after receiving an abortion, from 12 to 18; increases number of hours physician may extend stay from 12 to 18. Amends TCA Title 68. by *Duer, *McDaniel.

House Bill No. 874 -- Hospitals and Health Care Facilities -- Increases age of person of governor appointee to health facilities commission from 60 to 65; bill purports to amend 6811-104(b)(1); proper citation appears to be 68-11-104(b)(2). Amends TCA Title 68. by *Duer, *McDaniel.

House Bill No. 875 -- Firearms and Ammunition -- Prohibits firearms dealer from selling or transferring and prohibits purchaser from taking possession of firearm unless it is securely locked with trigger lock; dealer may charge for trigger lock. Amends TCA Title 39, Chapter 17, Part 13. by *DeBerry L.

House Bill No. 876 -- Domestic Violence -- Requires health professionals and certain other persons likely to come into contact with persons subjected to spousal abuse to file reports on suspected abuse under certain circumstances. Amends TCA Title 36, Chapter 3, Part 6. by *Turner (Hamilton), *Eckles, *Jones S, *Pruitt, *DeBerry L, *Chumney.

House Bill No. 877 -- Water Pollution -- Prohibits municipalities from collecting storm water user fees in manner not authorized by law, such as property tax; makes such violations subject to both civil penalty of up to \$500,000 from department and citizen lawsuit seeking injunctive relief with entitlement to attorneys fees. Amends TCA Section 68-221-1107. by *Turner (Hamilton).

***House Bill No. 878** -- Pensions and Retirement Benefits -- Authorizes payment of retirement benefits by automatic deposit in accordance with policies and procedures of board. Amends TCA Title 8, Chapters 34 through 38. by *Odom.

House Bill No. 879 -- Business and Commerce -- Creates industrial building revolving loan pool for rural counties with populations of 25,000 or less. by *Winningham.

House Bill No. 880 -- District Attorneys -- Authorizes additional criminal investigator for 8th judicial district Amends TCA Title 16, Chapter 2, Part 5. by *Winningham.

***House Bill No. 881** -- Teachers -- Requires salaries of all certificated personnel be at least 90 percent of state average for similar positions. Amends TCA Title 49, Chapters 2, 3, 5. by *Winningham.

House Bill No. 882 -- Education -- Authorizes state to establish break-the-mold school program independently of any federal action. Amends TCA Title 49. by *Winningham.

House Bill No. 883 -- Education -- Authorizes nonprofessional educational employees to collect unemployment compensation during interim between sessions. Amends TCA Title 50, Chapter 7, Part 3. by *Winningham.

House Bill No. 884 -- Motor Vehicles, Titling and Registration -- Increases violations and penalties for failure to endorse or deliver certificate of title, failure to discharge lien, failure to report discharge of lien and failure to properly enter transferee name on certificate from Class C to Class B misdemeanors. Amends TCA Title 55, Chapters 3 and 4. by *Callicott.

House Bill No. 885 -- Motor Vehicles -- Allows motor vehicle division officials to impound motor vehicles with improperly assigned titles. Present law limits entities with impoundment power to local and state law enforcement officials. Amends TCA Title 55, Chapter 3, Part 1. by *Kisber.

House Bill No. 886 -- Taxes -- Changes time period for notifying assessor and paying taxes after selling or terminating business from 15 to 20 days Amends TCA Title 67. by *Davis.

House Bill No. 887 -- Tort Liability -- Makes police officer and officer's employer immune from liability for injury to person fleeing pursuit of officer; provides that officer's decision to pursue or continue pursuit not basis for liability to any person; provides officer may be liable to third party for injuries caused by negligent operation of police vehicle. Amends TCA Title 55, Chapter 8, Part 1. by *Sharp.

House Bill No. 888 -- Libraries -- Clarifies law to allow library boards to charge reasonable fees for late returned materials, photocopying and lending equipment. Amends TCA 10-3-108. by *Burchett.

House Bill No. 889 -- Historical Sites -- Directs division of archaeology to establish program to provide archaeological information to schools and other interest groups. Amends TCA Title 11, Chapter 6. by *Burchett.

House Bill No. 890 -- Business and Commerce -- Requires open booths in adult oriented establishments; restricts opening and closing times. Amends TCA Title 7, Chapter 51. by *Burchett, *Newton, *Dunn, *Boyer, *Hassell, *Halteman Harwell, *Haley, *Shirley, *Walley, *Joyce.

SENATE BILLS TRANSMITTED

On motion, the bills listed were held on the Clerk's desk pending third consideration of the Companion House Bill:

Senate Bill No. 1 -- Statutes - Codifies Public Acts of 1994. by *Wilder.

*Senate Bill No. 5 -- Alcoholic Beverages - Permits sale of imported malt beverages in kegs with capacity between 13 and 14 gallons. Amends TCA 57-6-104(I).

*Senate Bill No. 6 -- Wine, Wineries - Lowers required seating capacity of restaurants authorized to sell wine only from 50 to 40. Amends TCA 57-4-101, 102. by *Cohen.

Senate Bill No. 38 -- Utilities, Utility Districts - Authorizes commissioners of South Blount County utility board by resolution to increase per diem for not more than 12 meetings to rate not exceeding \$250 per meeting for district having more than 3,000 users and \$100 per meeting for district having 3,000 or fewer users. Amends TCA Title 7, Chapter 82. by *Koella.

*Senate Bill No. 43 -- Housing - Permits compensation for housing authority commissioners if authorized by local ordinance. Amends TCA Title 13, Chapter 20. by *Cooper.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or Held on the Clerk's desk as noted:

House Bill No. 590 -- Criminal Offenses -- House Transportation Committee

House Bill No. 591 -- Insurance, Fire and Casualty -- House Commerce Committee

*House Bill No. 592 -- Health -- House Health and Human Resources Committee

House Bill No. 593 -- Contractors -- House Commerce Committee

House Bill No. 594 -- Motor Vehicles, Titling and Registration -- House Conservation Committee

House Bill No. 595 -- Insurance, Fire and Casualty -- House Commerce Committee

*House Bill No. 596 -- Firearms and Ammunition -- House Judiciary Committee

*House Bill No. 597 -- Water Pollution -- House Conservation Committee

*House Bill No. 598 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

*House Bill No. 599 -- University of Tennessee -- House Education Committee

*House Bill No. 600 -- DUI/DWI Offenses -- House Judiciary Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

*House Bill No. 601 -- Sentencing -- House Judiciary Committee

*House Bill No. 602 -- DUI/DWI Offenses -- House Judiciary Committee

*House Bill No. 603 -- Motor Vehicles -- House Judiciary Committee

*House Bill No. 604 -- DUI/DWI Offenses -- House Judiciary Committee

House Bill No. 605 -- Probation -- House Judiciary Committee

House Bill No. 606 -- Motor Vehicles, Titling and Registration
-- House Transportation Committee

*House Bill No. 607 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 608 -- Education -- House Education Committee

House Bill No. 609 -- Emergency Communications Districts --
House State and Local Government Committee

*House Bill No. 610 -- Criminal Offenses -- House Judiciary Committee

*House Bill No. 611 -- Death -- House Health and Human Resources Committee

House Bill No. 612 -- Motor Vehicles, Titling and Registration
-- House Transportation Committee

*House Bill No. 613 -- Environmental Preservation -- House Government Operations Committee

House Bill No. 614 -- Jefferson County -- Local Bill Held on House Desk

*House Bill No. 615 -- Employees, Employers -- House Health and Human Resources Committee

*House Bill No. 616 -- Highway Signs -- House Transportation Committee

House Bill No. 617 -- Ethics -- House State and Local Government Committee

House Bill No. 618 -- Tort Liability -- House Judiciary Committee

*House Bill No. 619 -- Fees -- House Judiciary Committee

House Bill No. 620 -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 621 -- Medical Occupations -- House Health and Human Resources Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

House Bill No. 622 -- Medical Occupations -- House Health and Human Resources Committee

*House Bill No. 623 -- Police -- House State and Local Government Committee

House Bill No. 624 -- Agriculture -- House Agriculture Committee

*House Bill No. 625 -- Public Service Commission -- House State and Local Government Committee

House Bill No. 626 -- Sentencing -- House Judiciary Committee

*House Bill No. 627 -- Environmentalists -- House Conservation Committee

House Bill No. 628 -- Administrative Procedure -- House Government Operations Committee

*House Bill No. 629 -- Municipal Government -- House State and Local Government Committee

House Bill No. 630 -- Local Education Agency -- House Education Committee

House Bill No. 631 -- Agriculture -- House State and Local Government Committee

*House Bill No. 632 -- Election Laws -- House State and Local Government Committee

*House Bill No. 633 -- Insurance, Health, Accident -- House Commerce Committee

*House Bill No. 634 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 635 -- Weakley County -- Local Bill Held on House Desk

*House Bill No. 636 -- Election Laws -- House State and Local Government Committee

*House Bill No. 637 -- Insurance, Health, Accident -- House Commerce Committee

*House Bill No. 638 -- Criminal Procedure -- House Judiciary Committee

*House Bill No. 639 -- Driver Licenses -- House Transportation Committee

*House Bill No. 640 -- Lobbying, Lobbyists -- House State and Local Government Committee

*House Bill No. 641 -- Solid Waste Disposal -- House State and Local Government Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

*House Bill No. 642 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 643 -- Traffic Safety -- House Transportation Committee

House Bill No. 644 -- Alcoholic Beverages -- House State and Local Government Committee

House Bill No. 645 -- Alcoholic Beverages -- House State and Local Government Committee

House Bill No. 646 -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 647 -- Employment Security, Dept. of -- House Finance, Ways and Means Committee

*House Bill No. 648 -- Nurses, Nursing -- House Health and Human Resources Committee

*House Bill No. 649 -- Taxes, Sales -- House Finance, Ways and Means Committee

*House Bill No. 650 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 651 -- Jails, Local -- House State and Local Government Committee

*House Bill No. 652 -- Knox County -- House State and Local Government Committee

House Bill No. 653 -- Professions and Occupations -- House Commerce Committee

House Bill No. 654 -- Taxes, Sales -- House Finance, Ways and Means Committee

*House Bill No. 655 -- Advertising -- House Transportation Committee

*House Bill No. 656 -- Grand Juries -- House Judiciary Committee

House Bill No. 657 -- Welfare -- House Health and Human Resources Committee

*House Bill No. 658 -- Election Laws -- House State and Local Government Committee

*House Bill No. 659 -- Funeral Directors and Embalmers -- House Commerce Committee

*House Bill No. 660 -- Sunset Laws -- House Government Operations Committee

*House Bill No. 661 -- Appropriations -- House Finance, Ways and Means Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

*House Bill No. 662 -- Motor Vehicles -- House Transportation Committee

*House Bill No. 663 -- General Assembly -- House State and Local Government Committee

*House Bill No. 664 -- General Assembly -- House State and Local Government Committee

*House Bill No. 665 -- Claims Commission, Tennessee -- House State and Local Government Committee

*House Bill No. 666 -- Regional Authorities -- House State and Local Government Committee

*House Bill No. 667 -- Taxes, Real Property -- House State and Local Government Committee

House Bill No. 668 -- Children -- House Health and Human Resources Committee

House Bill No. 669 -- Driver Licenses -- House Transportation Committee

*House Bill No. 670 -- Election Laws -- House State and Local Government Committee

*House Bill No. 671 -- Constitutional Conventions -- House State and Local Government Committee

*House Bill No. 672 -- General Assembly -- House State and Local Government Committee

House Bill No. 673 -- Political Parties -- House State and Local Government Committee

*House Bill No. 674 -- Education -- House Consumer and Employees Affairs Committee

*House Bill No. 675 -- Driver Licenses -- House Transportation Committee

*House Bill No. 676 -- Commerce and Insurance, Dept. of -- House Commerce Committee

*House Bill No. 677 -- Commerce and Insurance, Dept. of -- House State and Local Government Committee

*House Bill No. 678 -- Alcoholic Beverages -- House State and Local Government Committee

*House Bill No. 679 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

*House Bill No. 680 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

*House Bill No. 681 -- Pensions and Retirement Benefits --
House Finance, Ways and Means Committee

*House Bill No. 682 -- Pensions and Retirement Benefits --
House Finance, Ways and Means Committee

*House Bill No. 683 -- Highways, Roads and Bridges -- House
Transportation Committee

*House Bill No. 684 -- Taxes, Sales -- House Finance, Ways
and Means Committee

House Bill No. 685 -- Trade Regulation -- House Commerce
Committee

*House Bill No. 686 -- Children, Employment of -- House
Consumer and Employees Affairs Committee

House Bill No. 687 -- Education -- House Education Committee

*House Bill No. 688 -- Licenses -- House Health and Human
Resources Committee

*House Bill No. 689 -- Welfare -- House Health and Human
Resources Committee

*House Bill No. 690 -- Mental Illness -- House Health and
Human Resources Committee

*House Bill No. 691 -- Courts, Supreme Court of Tennessee --
House Judiciary Committee

*House Bill No. 692 -- General Assembly -- House Judiciary
Committee

*House Bill No. 693 -- Gas, Petroleum Products, Volatile Oils
-- House Commerce Committee

*House Bill No. 694 -- Television, Cable -- House Commerce
Committee

*House Bill No. 695 -- Telecommunications -- House Commerce
Committee

*House Bill No. 696 -- Public Service Commission -- House
Commerce Committee

*House Bill No. 697 -- Firefighters -- House Commerce
Committee

House Bill No. 698 -- Education -- House Education Committee

*House Bill No. 699 -- Managed Care Organizations -- House
Commerce Committee

House Bill No. 700 -- Welfare -- House Commerce Committee

House Bill No. 701 -- Hospitals and Health Care Facilities --
House Health and Human Resources Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

House Bill No. 702 -- TennCare -- House Commerce Committee

House Bill No. 703 -- Hospitals and Health Care Facilities --
House Health and Human Resources Committee

House Bill No. 704 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 705 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 706 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 707 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 708 -- TennCare -- House Commerce Committee

House Bill No. 709 -- Physicians and Surgeons -- House State
and Local Government Committee

House Bill No. 710 -- Insurance, Health, Accident -- House
Commerce Committee

House Bill No. 711 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 712 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 713 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 714 -- TennCare -- House Commerce Committee

House Bill No. 715 -- Business and Commerce -- House
Judiciary Committee

House Bill No. 716 -- Medicine, Practice of -- House Health
and Human Resources Committee

House Bill No. 717 -- Election Laws -- House State and Local
Government Committee

House Bill No. 718 -- Decatur County -- House Judiciary
Committee

House Bill No. 719 -- Education -- House Education Committee

House Bill No. 720 -- Transportation, Dept. of -- House
Transportation Committee

House Bill No. 721 -- Telecommunications -- House Commerce
Committee

House Bill No. 722 -- Public Service Commission -- House
Commerce Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

House Bill No. 723 -- Welfare -- House Health and Human Resources Committee

House Bill No. 724 -- Welfare -- House Health and Human Resources Committee

House Bill No. 725 -- Mental Health and Mental Retardation, Dept. of -- House Health and Human Resources Committee

House Bill No. 726 -- Mental Illness -- House Health and Human Resources Committee

*House Bill No. 727 -- Juries and Jurors -- House Judiciary Committee

House Bill No. 728 -- Public Funds and Financing -- House State and Local Government Committee

House Bill No. 729 -- State Government -- House State and Local Government Committee

House Bill No. 730 -- Public Service Commission -- House Commerce Committee

House Bill No. 731 -- Driver Licenses -- House Transportation Committee

House Bill No. 732 -- Driver Licenses -- House Transportation Committee

House Bill No. 733 -- Alcoholic Beverage Commission -- House State and Local Government Committee

House Bill No. 734 -- Driver Licenses -- House Judiciary Committee

House Bill No. 735 -- DUI/DWI Offenses -- House Judiciary Committee

House Bill No. 736 -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 737 -- Juvenile Offenders -- House Judiciary Committee

House Bill No. 738 -- Divorce and Annulment -- House Judiciary Committee

House Bill No. 739 -- Education -- House Education Committee

House Bill No. 740 -- Local Education Agency -- House Education Committee

House Bill No. 741 -- Real Property -- House Judiciary Committee

House Bill No. 742 -- Annexation -- House State and Local Government Committee

WEDNESDAY, FEBRUARY 8, 1995 -- SIXTH LEGISLATIVE DAY

*House Bill No. 743 -- Trade Regulation -- House Commerce Committee

House Bill No. 744 -- Local Education Agency -- House Education Committee

House Bill No. 745 -- Cosmetology -- House Health and Human Resources Committee

House Bill No. 746 -- Election Laws -- House State and Local Government Committee

House Bill No. 747 -- Health -- House Health and Human Resources Committee

House Bill No. 748 -- Economic and Community Development -- House Commerce Committee

House Bill No. 749 -- Utilities, Utility Districts -- House State and Local Government Committee

House Bill No. 750 -- Employees, Employers -- House Health and Human Resources Committee

House Bill No. 751 -- Taxes -- House State and Local Government Committee

House Bill No. 752 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 753 -- Health -- House Health and Human Resources Committee

House Bill No. 754 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 755 -- Forest and Forest Products -- House Conservation Committee

House Bill No. 756 -- Capital Punishment -- House Judiciary Committee

House Bill No. 757 -- Medical Occupations -- House Health and Human Resources Committee

House Bill No. 758 -- Taxes, Gross Receipts -- House Commerce Committee

House Bill No. 759 -- Taxes, Real Property -- House State and Local Government Committee

House Bill No. 760 -- Motor Vehicles -- House Commerce Committee

House Bill No. 761 -- Medicine, Practice of -- House Health and Human Resources Committee

House Bill No. 762 -- Capital Punishment -- House Judiciary Committee

House Bill No. 763 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 764 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on February 7, 1995 reported the following:

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Joint Resolution(s) No(s). 5 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on February 8, 1995 reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Monday, February 13, 1995: House Joint Resolution(s) No(s). 5.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSENT CALENDAR

House Joint Resolution No. 55 -- Memorials, Recognition and Thanks - Citizens against domestic violence. by *Whitson.

House Joint Resolution No. 57 -- Memorials, Death -- Nancy Petrey. by *Davis.

House Joint Resolution No. 59 -- Memorials, Public Service -- Tennessee School for the Blind, Sesquicentennial Anniversary. by *West, *Jones S, *Garrett, *Arriola, *Pruitt, *Halteman Harwell, *Purcell, *Stamps.

House Joint Resolution No. 60 -- Memorials, Sports -- Coach Roy Sewell, White County boys' basketball team. by *Curtiss.

House Resolution No. 6 -- Memorials, Public Service -- Harold Love. by *Langster, *Huskey, *Armstrong, *Stamps, *Garrett, *Robinson, *Purcell, *Arriola, *Halteman Harwell, *Pruitt, *Jones, S., *West, *Naifeh, *Towns, *Bowers, *Miller L, *Jones U (Shelby).

Senate Joint Resolution No. 16 -- Memorials, Professional Achievement -- Marguerite W. Sallee. by *Henry, *Haynes.

Senate Joint Resolution No. 20 -- Memorials, Death -- Senator Ernest Crouch. by *Cooper, *Atchley, *Burks, *Carter, *Cohen, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McNally, *Miller, *O'Brien, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

Senate Joint Resolution No. 21 -- Memorials, Death -- Dean John Webster Wade, Sr. by *Henry, *Wilder, *Jordan.

Senate Joint Resolution No. 24 -- Memorials, Death-- Senator James E. "Buzz" Elkins, Clinton. by *McNally, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *Miller, *O'Brien, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Wilder, *Womack, *Wright.

Senate Joint Resolution No. 39 -- Memorials, Death -- Morris L. Simon. by *Cooper, *Burks, *Henry.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Resolution No. 6: by Rep. Langster.

Under the rules, House Resolution No. 6 was/were placed at the foot of the calendar for Thursday, February 9, 1995.

RULES SUSPENDED

Rep. Coffey moved that the rules be suspended, so that all members voting aye on **Senate Joint Resolution No(s). 24** be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron,

Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Stulce moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 63 out of order, which motion prevailed.

House Joint Resolution No. 63 -- Memorials, Retirement - E. Howard Whitaker. by *Stulce, *McKee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Stulce, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the purpose of introducing House Resolution No. 8 out of order, which motion prevailed.

House Resolution No. 8 - Memorials, Retirement - Wilbur C. "Webb" Morris. by *Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davidson, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 14: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 1: Rep(s). Purcell as prime sponsor(s).

House Bill No. 18: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 20: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 22: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 23: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 24: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 47: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No.125: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No.128: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 131: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 132: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No 158: Rep(s). Burchett, Westmoreland, Bittle, Cantrell, Shirley, Ramsey, Boyer, Armstrong, Tindell, Ritchie, and Venable as prime sponsor(s).

House Bill No. 487: Rep(s). Williams (Union), Peach, Boyer, Dunn, and McDaniel as prime sponsor(s).

House Bill No. 565: Rep(s). Purcell as prime sponsor(s).

House Bill No. 566: Rep(s). Purcell and Buck as prime sponsor(s).

House Bill No. 601: Rep(s). Newton as prime sponsor(s).

House Bill No. 642: Rep(s). Ridgeway, Pinion, Curtiss, Fitzugh, and McDonald as prime sponsor(s).

House Bill No. 795: Rep(s). Burchett, Ritchie, Walley, Wood, and Tindell as prime sponsor(s).

ANNOUNCEMENTS

BILLS WITHDRAWN

On motion of Rep. Herron, **House Bill No. 21** was recalled from the Health and Human Resources Committee and withdrawn from the House.

NOTICE OF BILL CUT-OFF

Rep. Purcell announced that the last day for filing bills would be the close of business on Thursday, February 16, 1995.

**ENROLLED BILLS
February 8, 1995**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 12, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, and 43.

BETTY

KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 8, 1995**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 12, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, and 43.

BETTY

KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS
February 8, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 55, 57, 59, 60, and 63.

BETTY

KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 8, 1995**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 27; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.

Chief Clerk.

**MESSAGE FROM THE SENATE
February 8, 1995**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 63; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.

Chief Clerk.

MESSAGE FROM THE SENATE
February 8, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 39; for the signature of the Speaker.

CLYDE

W. McCULLOUGH, JR. Chief Clerk.

MESSAGE FROM THE SENATE
February 8, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 12, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, and 43; all signed by the Speaker.

CLYDE

W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 8, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No(s). 27; passed by the Senate.

CLYDE

W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 27: -- Correction, Dept. of - Increases from ten to 14 membership of Select Oversight Committee on Corrections. Amends TCA 3-15-101(b), 109(c). by *Wilder, *Crutchfield, *Atchley, *Kyle, *O'Brien, *Elsea, *Rochelle.

MESSAGE FROM THE SENATE
February 8, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No (s). 33, 34, 35, 36, 37, 38, and 48; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR.

Chief Clerk.

Senate Joint Resolution No. 33 -- Memorials, Death - Dr. James C. Cotham, III. by *Henry, *Jordan, *Wilder, *Rochelle, *Haynes.

Senate Joint Resolution No. 34 -- Memorials, Death - A.B. Neil, Jr. by *Henry, *Haynes, *Rochelle, *Wilder.

Senate Joint Resolution No. 35 -- Memorials, Recognition and Thanks - Dr. Arliss L. Roaden. by *Henry, *Kyle, *Wilder, *Springer, *Hamilton, *Rochelle, *Womack, *Haynes.

Senate Joint Resolution No. 36 -- Memorials, Death - Henry F. "Dutch" Swann, Dandridge. by *Wallace.

Senate Joint Resolution No. 37 -- Memorials, Death - Senator Avon Williams. by *Wilder, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McNally, *Miller, *O'Brien, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Womack, *Wright.

Senate Joint Resolution No. 38 -- Memorials, Death - Marshall Wilson, Coffee County Road Superintendent. by *Cooper, *Burks.

Senate Joint Resolution No. 48 -- Memorials, Personal Occasion - Ellen Stokes Memyss, 100th birthday. by *Wright.

CONSENT CALENDAR
February 8, 1995

The following local bills were placed on the Consent Calendar for Monday, February 13, 1995: House Bill(s) No.(s) 109, 119, 164, 214, 286, 485, 531, 532, 559, 583.

ROLL CALL

The roll call was taken with the following results:

Present 98
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Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, February 9, 1995.